



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105**

OCT 31 2011

William F. Broglie
NOAA Chief Administrative Officer
c/o Robb Gries, P.E.
Office of the Chief Administrative Officer
National Oceanic and Atmospheric Administration
7600 Sand Point Way NE, BIN C15700
Seattle, WA 98115

Subject: Draft Supplemental Environmental Impact Statement (DSEIS) for Replacement of NOAA Southwest Fisheries Science Center (SWFSC) – Demolition, Soil Stabilization and Seismic Improvements, La Jolla, California [CEQ# 20110319]

Dear Mr. Broglie,

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The DSEIS evaluates newly proposed demolition, excavation, construction and structural upgrade activities not previously analyzed in the Draft or Final Environmental Impact Statements (DEIS and FEIS). The National Oceanic and Atmospheric Administration's preferred alternative would result in the implementation of these expanded activities, while the No Action alternative would result in the implementation of the Proposed Action as analyzed in the FEIS.

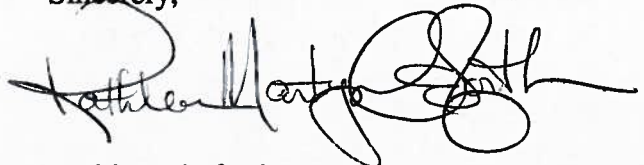
EPA reviewed the DEIS and FEIS and submitted comments to NOAA on January 12, 2009 and June 29, 2009, respectively. We rated the DEIS as Environmental Concerns-Insufficient Information (EC-2) and expressed concerns regarding impacts to air quality from construction emissions. In response to the FEIS, we commended NOAA for its proposed air quality mitigation measures, and recommended that NOAA include commitments to identified air quality mitigation in the Record of Decision. In addition, we suggested that NOAA provide advanced notice of construction to residents along the truck haul route to be used during construction. This notification would serve to inform residents of the potential health risks and possible exposure avoidance measures they should consider, such as closing their windows while diesel-powered equipment and vehicles are operating near their homes.

We have rated the DSEIS as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions"). EPA commends NOAA for its continued commitment to reducing the impacts of

construction-related emissions of dust and other air pollutants. That said, we have not found, in the Record of Decision nor the DSEIS, a response to our previous recommendation that NOAA provide advanced notice of construction to residents along the truck haul route. We continue to suggest that NOAA implement this action in order help to mitigate potential impacts to residential receptors.

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EPA appreciates the opportunity to review this DSEIS. When the Final SEIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at 415-972-3521, or contact Carter Jessop, the lead reviewer for this project, at 415-972-3815 or jessop.carter@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Goforth', with a stylized flourish at the end.

Kathleen Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure: Summary of EPA Rating Definition

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

